

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

\* PUBLIC HEARING 3:00 P.M.\*

Meeting Date: July 19, 2006 - KW

Division: County Attorney

Bulk Item: Yes X No     

Department: County Attorney

Staff Contact: Suzanne A. Hutton

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**AGENDA ITEM WORDING:**

A public hearing to consider an ordinance replacing the ending date of the Big Coppitt Municipal Service Taxing Unit with Calendar Year 2010 and reinstating Shark Key in the legal description of the MSTU.

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**ITEM BACKGROUND:**

Delays in the project and non-collection of the tax for the taxable year 2006 have necessitated an extension of the termination date of the Big Coppitt Municipal Service Taxing District. Additionally, the Big Coppitt MSTU legal description needs to be corrected to again include Shark Key, as it was erroneously removed from the legal description back in 2003

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**PREVIOUS RELEVANT BOCC ACTION:**

Ordinance No. 38-2002 created Big Coppitt Municipal Service Taxing Unit

Ordinance No. 16-2003 erroneously removed Shark Key from the Big Coppitt MSTU

On 6/21/2006 BOCC approval to advertise

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**CONTRACT/AGREEMENT CHANGES:**

NA

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**STAFF RECOMMENDATIONS:**

Approval to advertise.

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**TOTAL COST:** N/A

**BUDGETED:** Yes      No     

**COST TO COUNTY:**                     


**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes      No     

**AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty ✓ OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:**                     

  
SUZANNE A. HUTTON, COUNTY ATTORNEY

**DOCUMENTATION:** Included      To Follow      Not Required     

**DISPOSITION:**                     

**AGENDA ITEM #**



**NOTICE OF INTENTION TO CONSIDER  
ADOPTION OF COUNTY ORDINANCE**

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on **July 19, 2006, at 3:00 P.M.**, or as soon thereafter as it may be heard, at the **Harvey Government Center, 1200 Truman Avenue, Key West, Monroe County, Florida**, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA AMENDING CHAPTER 15.5, MONROE COUNTY CODE; PROVIDING FOR REPLACEMENT OF FISCAL YEAR 2008 WITH CALENDAR YEAR 2010 AS THE ENDING DATE OF THE BIG COPPITT MUNICIPAL SERVICE TAXING UNIT SET FORTH IN ORDINANCE NO. 038-2002, AS AMENDED IN ORDINANCE NO. 16-2003; PROVIDING FOR REINSTATEMENT OF SHARK KEY IN THE LEGAL DESCRIPTION OF THE MSTU; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

Interested parties may appear at the meeting and be heard on this matter.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

Dated at Key West, Florida, this 21<sup>st</sup> day of June, 2006.

DANNY L. KOLHAGE, Clerk of the Circuit Court  
and ex officio Clerk of the Board of County  
Commissioners of Monroe County, Florida

(SEAL)

**Publication Dates:**

|            |           |        |
|------------|-----------|--------|
| Reporter   | 6/30/06 – | 7/7/06 |
| Keynoter   | 7/1/06 -  | 7/8/06 |
| KW Citizen | 7/2/06 -  | 7/9/06 |



ORDINANCE NO. - 2006

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING CHAPTER 15.5, MONROE COUNTY CODE; PROVIDING FOR REPLACEMENT OF FISCAL YEAR 2008 WITH CALENDAR YEAR 2010 AS THE ENDING DATE OF THE BIG COPPITT MUNICIPAL SERVICE TAXING UNIT SET FORTH IN ORDINANCE NO. 038-2002, AS AMENDED IN ORDINANCE NO. 16-2003; PROVIDING FOR REINSTATEMENT OF SHARK KEY IN THE LEGAL DESCRIPTION OF THE MSTU; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Ordinance No. 38-2002 created the Big Coppitt Municipal Service Taxing Unit for purposes of ad valorem taxation to provide funding for a wastewater/sewerage system for the Big Coppitt Region; and

**WHEREAS**, Ordinance No. 38-2002 established a termination date of the end of fiscal year 2007-2008; and

**WHEREAS**, delays in the project and non-collection of the tax for the taxable year 2006 have necessitated an extension of the termination date; and

**WHEREAS**, Ordinance No. 16-2003 erroneously removed Shark Key from the taxing unit;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:**

**Section 1.** Section 15.5-113(b), Monroe County Code, shall be revised to read:

The boundaries of Big Coppitt Municipal Service Taxing Unit are ~~more particularly described in Exhibit A hereto and same are incorporated by reference.~~ the area generally bounded on the west by Boca Chica Channel and on the east by Shark Channel, including Shark Key.

**Section 2.** Section 15.5-114(b), Monroe County Code, shall be revised to read:

The imposition collection of ad valorem taxes is as authorized herein shall cease after four (4) consecutive fiscal years and as long as the MSTU is in existence. ~~The Big Coppitt Municipal Service Taxing Unit shall terminate at the end of county fiscal year 2007-2008 on December 31, 2010, and taxes for calendar year 2010 may be collected in 2011.~~



**Section 3.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 4.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

**Section 5.** The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

**Section 6.** This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the \_\_th day of \_\_, 2006.

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|-------------------------------|---|
| Mayor Charles "Sonny" McCoy   | — |
| Mayor Pro Tem Dixie M. Spehar | — |
| Commissioner George Neugent   | — |
| Commissioner Glenn Patton     | — |
| Commissioner David Rice       | — |

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

|              |                   |
|--------------|-------------------|
| By _____     | By _____          |
| Deputy Clerk | Mayor/Chairperson |